

REMARKS

Applicant has filed the present Response in reply to the outstanding Official Action of March 6, 2008, and the Applicant believes the Response to be fully responsive to the Official Action for at least the reasons set forth herein.

Claims 1-3, 5, 11-18, 26-29, 43, 45, 51-54, 65 and 66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal (previously cited) and Barry, U.S. Patent Publication No. 2007/0174403. Claims 4, 19, 20, and 44 stand rejected under 35 U.S.C. § 103(a) in view of McZeal, Barry and Williams. Claims 7, 22 and 47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry, and Sagi. Claims 8, 23 and 48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry and Goodman. Claims 9, 24 and 49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry and Gierachf, U.S. Patent Publication No. 2005/0053230. Claims 10, 25 and 50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry and Hollowell et al., U.S. Pat. Pub 2005/0105697.

Claims 30-33, 35, 41, 55, 57, 63, 64, 67, 69 and 75 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry and Monroe, U.S. Patent No. 6,970,183. Claims 42 and 46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry, Monroe and Boukobza. Claims 34, 56 and 68 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry, Williams and Monroe. Claims 37, 59 and 71 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry, Sagi and Monroe.

Claims 38, 60 and 72 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry, Goodman and Monroe. Claims 39, 61 and 73 stand rejected under 35


U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry, Gierachf and Monroe. Claims 40, 62 and 74 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of McZeal, Barry, Hollowell and Monroe.

Applicant respectfully disagrees with the rejection and traverses with at least the following remarks and comments. Applicant submits that Barry and Hollowell are not prior art. Annexed hereto is a declaration pursuant to 37 C.F.R. § 1.131 attesting to Applicant's prior conception of the claimed invention. As asserted in paragraphs 2 and 3, Applicant completed the invention claimed in the instant application prior to the filing dates of both references. Applicant worked diligently with two different patent attorneys to file a patent application.

Based upon the foregoing, Applicant respectfully requests that the Examiner withdraw all of the pending rejections pursuant to 35 U.S.C. § 103(a).

In conclusion, the Applicant believes that the above-identified application is in condition for allowance and henceforth respectfully solicits the Examiner to allow the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests that the Examiner call the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,


Seth Weinfeld
Registration No: 50,929

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
516-742-4343

SW:reg